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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,324	11/27/2000	Tomy K. Isaac	00-40323-US	5536

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EXAMINER
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DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2143

13

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/723,324

**Applicant(s)**

ISAAC ET AL.

**Examiner**

Thomas Duong

**Art Unit**

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

- Please summarize the abstract using clear and concise language while limiting it to 150 words or less.

### ***Drawings***

2. The drawings are objected to because they are not presentable. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

- Please submit the formal drawings as none have been received by the Office along with the amendment dated April 15, 2004.

***Response to Amendment***

3. This office action is in response to the amendment filed on April 15, 2004 (Paper No. 12). The amendment filed on April 15, 2004 has been entered and made of record. *Claims 1-81* are presented for further consideration and examination.

***Response to Argument***

4. The Applicants' arguments and amendments filed on April 15, 2004 have been fully considered, but they are not persuasive.
5. With regard to *claims 1, 29, 54 (amended 53) and 76 (amended 75)*, the Applicants point out that:

- *wherein the organizational information protocol extracted during the extracting step would include the organizational setup of all information gathered from the at least two service providers (see page 13, lines 15–19).*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that the Inala reference does disclose,

Inala (US006199077B1) teaches,

- *extracting organizational information from at least two service providers to form at least two organizational information protocols, wherein one organizational information protocol corresponds to each of the at least two service providers (Inala, col.9, lines 30-36, lines 42-45; col.12, lines 35-45; col.18, lines 11-15, lines 22-30; Inala teaches of gathering and parsing (extracting) for desired data*

from appropriate fields (organizational information) at the destination site that is specific to the user. The data is then stored in a database for the purpose of data conversion, thus suggesting a mapping or converting of data from one format to another which corresponds to forming organizational information protocols).

In summary, the Examiner maintains that Inala does teach of gathering and parsing for desired data from appropriate fields at the destination site that is specific to the user. Furthermore, Inala teaches of storing the appropriate data fields in a database for the purpose of data conversion, thus suggesting a mapping or converting of data from one format to another. Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

6. With regard to claims 1, 29, 54 (amended 53) and 76 (amended 75), the Applicants point out that:

- *Gampper not only fails to teach the writing of the first plurality of information to the second at least one of the at least two service providers according to the organizational information protocol, Gampper fails to teach the use of any organizational information protocol.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that the Gampper reference does disclose,

Gampper (US006442601B1) teaches,

- *writing the second plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.*

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(Gampper, col.2, lines 21-24, lines 36-64; col.3, lines 9-22; Gampper teaches of migrating files from one storage to another)

In summary, the Examiner maintains that the Inala reference in view of the Gampper reference disclose a system that gathers and parses for desired data from appropriate fields at the destination site that is specific to the user. Then, after storing the appropriate data fields in a database for the purpose of data conversion, thus suggesting a mapping or converting of data from one format to another, the system migrates the requested data from appropriate fields from one location to another. Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

7. With regard to claims 2-28, 30-52, 54-74 and 76-81, they are rejected at least by virtual of their dependency on the independent claims and by other reasons set forth in the previous office action (Paper No. 11). Accordingly, rejections for *claims 2-28, 30-52, 54-74 and 76-81* are presented as below:

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inala (US006199077B1) and in view of Gampper et al. (US006442601B1).

10. With regard to claims 29, 1, 54 and 76, Inala reference discloses,

- *extracting organizational information (data) from at least two service providers (individual ones of Internet sites) to form at least two organizational information protocols, wherein one organizational information protocol (agent dedicated to each site accessed) corresponds to each of the at least two service providers; (Inala, col.9, lines 30-36, lines 42-45; col.12, lines 35-45; col.18, lines 11-15, lines 22-30; Inala teaches of gathering and parsing (extracting) for desired data from appropriate fields (organizational information) at the destination site that is specific to the user. The data is then stored in a database for the purpose of data conversion, thus suggesting a mapping or converting of data from one format to another which corresponds to forming organizational information protocols)*
- *providing a migration selection interface (individualized/personalized Web page, personalized portal page) to a user; (Inala, col.2, lines 24-30; col.4, lines 29-32, lines 51-58; col.5, lines 4-21; fig.2; module 57 on fig.3)*
- *accessing a first at least one of the at least two service providers upon selection of the migration selection interface by the user; (Inala, col.4, lines 55-58; col.4, line 62 – col.5, line 1; col.5, lines 29-32; col.17, lines 18-19; col.18, lines 11-15; module 58 on fig.3)*
- *receiving, according to the organizational information protocol correspondent to the first at least one of the at least two service providers, of a first plurality of information related to the user, upon said accessing a first at least one of the at least two service providers; (Inala, col.10, line 66 – col.11, line 3; col.16, lines 22-27, lines 47-50; modules 119, 121 on fig.5)*

- *normalizing the first plurality of information into a standard format; (Inala, col.12, lines 35-45; col.14, lines 21-29; col.16, lines 43-50; modules 119, 121 on fig.5)*

However, Inala reference does not explicitly disclose,

- *accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user;*
- *denormalizing the normalized first plurality of information into a second plurality of information;*
- *writing the second plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.*

Gampper teaches,

- *accessing a second at least one of the at least two service providers upon selection of the migration selection interface by the user; (Gampper, col.2, lines 21-24, lines 36-46, lines 47-64; col.3, lines 9-22; fig.1)*
- *denormalizing the normalized first plurality of information into a second plurality of information; (Gampper, col.2, lines 21-24, lines 36-46, lines 47-64; col.3, lines 9-22; fig.1)*
- *writing the second plurality of information to the second at least one of the at least two service providers according to the organizational information protocol correspondent to the second at least one of the at least two service providers.*  
*(Gampper, col.2, lines 21-24, lines 36-64; col.3, lines 9-22; Gampper teaches of migrating files from one storage to another)*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Gampper reference with Inala reference to



enable the provider to improve network bandwidth conservation by transferring or migrating information from one source (i.e. service provider) to another which may offer faster access to the information or higher availability of bandwidth.

11. With regard to claims 31-34, 1-5 and 55-58, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein the at least two service providers provide services in a service provision area.* (Inala, col.1, lines 35-38; col.5, lines 8-18)
- *wherein the service provision area is at least one selected from banking and financial services, email services, on line calendar and address book services, mysite.com pages, bill payment services, and application service providers.* (Inala, col.1, lines 35-38; col.5, lines 8-18)
- *wherein the banking and financial services are at least one selected from the group consisting of payment of a mortgage, a loan, a balance transfer, account balances, filling out of forms, credit checks, digital signal encryption, and login and password information.* (Inala, col.1, lines 35-38; col.5, lines 8-18)
- *wherein the mysite.com site is at least one selected from the group consisting of an ISP site, a wireless customization site, a shopping site, and an online trading site.* (Inala, col.1, lines 35-38; col.5, lines 8-18)

12. With regard to claims 35-39, 45-46, 6-13, 59-63 and 69, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein the organizational information protocol includes a format and a location for the first plurality of information. (Inala, col.11, lines 36-55; col.12, lines 35-45; col.13, line 55 – col.14, line 2; col.14, lines 21-29; col.16, lines 43-50; modules 119, 121 on fig.5)*
- *further comprising, upon said extracting, formatting the organizational information protocol for each service provider into an organizational information database organized by service provider. (Inala, col.11, lines 36-55; col.12, lines 35-45; col.13, line 55 – col.14, line 2; col.14, lines 21-29; col.16, lines 43-50; modules 119, 121 on fig.5)*
- *wherein the organizational information protocol represents a manner of organization of the at least one service provider, information entry methods for the at least one service provider, and information extraction methods for the at least one service provider (Inala, col.11, lines 36-55; col.12, lines 35-45; col.13, line 55 – col.14, line 2; col.14, lines 21-29; col.16, lines 43-50; modules 119, 121 on fig.5)*

13. With regard to claims 40, 15 and 64, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein said accessing a first at least one service provider comprises entering a user name and password. (Inala, col.2, lines 24-30, lines 47-52; col.4, lines 29-32, lines 51-58; col.10, lines 2-3, lines 11-15; col.12, lines 6-12; col.16, lines 22-23, lines 51-59; fig.2; module 105 on fig.5)*

14. With regard to claims 41-44, 16-20 and 65-68, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein said normalizing is performed by an import coordinating service.* (Inala, col.9, lines 53-63; col.12, lines 35-45, lines 46-58; col.13, lines 43-54; col.14, lines 21-29; col.16, lines 22-27, lines 43-50; modules 119, 121 on fig.5)
- *wherein said normalizing comprises sending, by the import coordinating service, of control messages, which control messages receive the first plurality of information according to the organizational information protocol.* (Inala, col.9, lines 53-63; col.12, lines 35-45, lines 46-58; col.13, lines 43-54; col.14, lines 21-29; col.16, lines 22-27, lines 43-50; modules 119, 121 on fig.5)

15. With regard to claims 47-48, 21-22 and 70, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein the first plurality of information includes personal information data and errors that occurred during said receiving of a first plurality.* (Inala, col.7, lines 46-61; col.8, lines 5-12; col.10, line 66 – col.11, line 3; col.13, lines 55-67; col.16, lines 22-27, lines 47-50; modules 119, 121 on fig.5)
- *wherein the errors include information requested by said receiving that could not be located and information requested by said receiving that was not formatted according to the organizational information protocol.* (Inala, col.7, lines 46-61;

col.8, lines 5-12; col.10, line 66 – col.11, line 3; col.13, lines 55-67; col.16, lines 22-27, lines 47-50; modules 119, 121 on fig.5)

16. With regard to claim 14, Inala reference discloses the invention substantially as claimed,  
See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein the migration selection interface comprises at least one selected from the group consisting of a clickable icon, a button, a tile, an authorization box, an entry of a name, an entry of a password, an entry of personal information, and an entry of credit card information. (Inala, col.2, lines 24-30; col.4, lines 29-32, lines 51-58; col.5, lines 4-21; fig.2; module 57 on fig.3)*

17. With regard to claims 49, 23-24 and 71, Inala reference discloses the invention substantially as claimed,

See *claims 29, 1 and 54* rejection as detailed above.

Furthermore, Inala reference discloses,

- *wherein said denormalizing comprises sending export control messages that map the second plurality of information into a proper location on the second at least one service provider. (Inala, col.2, lines 21-24, lines 36-46, lines 47-64; col.3, lines 9-22; fig.1)*

18. With regard to claims 77-82, they include features or limitations as in *claim 34*. Thus, *claims 77-82* are also rejected under the same rational as cited in the rejection of the *claim 34* (see *claim 34* rejection as detailed above).

19. Claims 50-53, 25-28 and 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inala et al. (US006199077B1), in view of Gampper et al. (US006442601B1) and further in view of Burson et al. (US006405245B1).
20. With regard to claims 7-9, 14, 17-18, 75-77, 82 and 85-86, Inala and Gampper references disclose,

See *claims 29, 1 and 54* rejection as detailed above.

However, Inala and Gampper references do not explicitly disclose,

- *further comprising billing the second at least one service provider for the user migrated to the second at least one service provider.*
- *further comprising billing the user for the user migrated to the second at least one service provider.*

Burson teaches,

- *further comprising billing the second at least one service provider for the user migrated to the second at least one service provider.* (Burson, col.14, lines 34-48; fig.11)
- *further comprising billing the user for the user migrated to the second at least one service provider* (Burson, col.14, lines 34-48; fig.11)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Burson reference with Inala and Gampper references to recover for the cost of providing a service to the client as well as the new service provider.

### **Conclusion**

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21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886. The examiner can normally be reached on M-F 7:30AM - 4:00PM.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.
- Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

*Thomas Duong (AU2143)*

*June 16, 2004*

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
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